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TAGS: PREL PGOV PHUM CM

SUBJECT: CAMEROON: RIOT TRIALS BEGIN, SIGNS OF INJUSTICE

REF: YAOUNDE 211

Classified By: Poloff L.Wahid for reasons 1.4. b and d

**¶11. (C) Summary.** Cameroon's Ministry of Justice is conducting trials to prosecute those suspected of participating in the February 25-29 riots in five of the country's ten provinces. Most of the accused are poor young men. Minister of Justice Amadou Ali told reporters at a March 6 press conference that 1,671 people had been arrested. However, many lawyers believe the numbers to be much higher because there are some detainees in smaller cities that have not been included in the figures. Post continues to receive reports of arbitrary arrests, beatings and other mistreatment of detainees, and arbitrary judgments. Lawyers criticize the government (GRC) for condemning many suspects to two years of imprisonment with little to no evidence against them. Some speculate that the GRC is using these trials for two reasons: to create fear within the population and to gain support when the GRC eventually pardons those condemned. End Summary.

Minister Ali Speaks: 1671 Persons Arrested

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**¶12. (U)** On March 6, Vice Prime Minister and Minister of Justice Amadou Ali held a press conference to announce the status of those arrested during the February 25-29 riots. He said that 1,671 people had been arrested and charged with destruction of property, failure to present identification cards, and illegal obstruction of the highway. The arrests, Ali said, were conducted under Article 103 of the Criminal Procedure Code, "flagrante delicto". This provision states that officers can make arrests under the following conditions: when the suspect is in the process of committing a felony or misdemeanor or when the crimes have just been committed; when the suspect is pursued by the public; or when the suspect is caught with the stolen items or shows signs which suggest that he participated in a felony or misdemeanor. According to the Minister of Justice, in the Littoral Province (Douala) 671 persons were arrested, in the Center Province (Yaounde) 400 persons were arrested, in the West Province 280 persons were arrested, in the North West Province 220 persons were arrested, and in the South West Province 100 persons were arrested. Minister Ali said that as of March 7, 107 people had been convicted and were serving prison sentences ranging from four months to three years. Regional representative of the International Committee of the Red Cross (ICRC) Philippe Galliard told Poloff that the

Ministry of Justice asked the ICRC to visit and provide food and medical supplies to the riot detainees. Galliard said that so far, the ICRC had visited detainees in the South and North West Province and estimated that they would visit about eighty percent of the riot detainees.

Judges Under Pressure to Convict

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¶3. (C) Poloff spoke with members of the Cameroon Bar Association who have been serving as pro bono lawyers for the accused. The defense lawyers said that it was evident that judges were under pressure to issue guilty verdicts despite a lack of evidence. The lawyers argued that most of the suspects were spectators to the riots and were arrested because the gendarmes could not catch the actual rioters. One lawyer told Poloff about the case of 30 Malians and 5 Burkinabes, alleging that on March 5 (six days after the end of the riots) the Battalion Intervention Rapide (BIR) stopped the defendants, tour bus and accused them of participating in the riots that occurred in Yaounde on February 27. They were immediately sent to the Commissariat for detention. Although the riots in Yaounde stopped on February 28, security forces continued to arrest "suspects" under the pretext of "flagrante delicto." The Malians were released with the assistance of their Embassy and the Burkinabes remain in prison awaiting trial.

¶4. (U) Poloff attended several court proceedings for the accused persons and observed that there were no state witnesses present at the trial, not even the arresting officer. According to Cameroon Bar Association lawyers, one Commander testified in support of the state and said that his troops told him that the accused were caught during the riots. This Commander acted as the sole witness against 75 defendants. Each suspect was called by name and questioned by both the pro bono defense attorney, the prosecutor general, and the judge in an effort to establish their whereabouts when they were arrested. The judge is expected to declare the verdicts only after all of the cases have been heard.

Students Allege Arbitrary Arrests, Torture

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¶5. (SBU) Poloff spoke with students at the University of Yaounde who recounted their experience with gendarmes during the height of the taxi strike in Yaounde. According to some students, two trucks filled with gendarmes entered the campus and began knocking on students' doors, threatening to shoot if they did not open the door. One of the students said that about ten gendarmes entered his room and started beating him and his friends. The students said that the gendarmes told them, "we were not able to win the war in Bakassi, but we will win the war against you." In response to the beatings, the Minister of Higher Education paid for the students, bandages.

¶6. (SBU) On February 27, gendarmes reportedly entered a restaurant and ordered the patrons to leave and assemble outside. Once the patrons were assembled they were beaten, forced into a gendarme truck, and taken to the gendarme station. According to a student, he heard the arresting officers tell the colonel in charge that they were caught in the streets. The colonel then ordered them to remove their clothes except for their underwear and told them, "you will taste the baton and machete, one hundred strokes for each person." After the beating the detainees were reportedly ordered to crawl on their knees through gravel and sharp stones for 100 meters and then to roll in the gravel chanting, "I will never do it again." They were reportedly then drenched in cold water and made to sit outside for mosquitoes to attack.

¶7. (SBU) The next day the gendarmes took their statements and, although gendarmes reported that the detainees were arrested in the same place, their statements said otherwise. The student told Poloff that when he gave his statement the

officer commented that he believed that the majority of detainees were innocent. The following day two trucks full of detainees were sent to the Court of Appeals, First Instance, where many were convicted without a trial. The student was released on March 3.

40 Killed and Billions in Property Damage

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**18. (U)** On March 10, Minister of Territorial Administration Hamidou Marafa held a press conference to discuss the damage resulting from the riots. According to Marafa, 40 people had been killed, 33 gas stations vandalized, and property damage was estimated to be 10 billion CFA (23 million USD). He then "revealed" that the Social Democratic Front (SDF) led by John Fru Ndi had codenamed the riots as "Operation Kenya," aimed at destabilizing the country using youths the organization had trained. As further evidence of this alleged plot, Marafa said that a known escaped criminal was spotted in Fru Ndi's car. In response to Marafa's accusations, John Fru Ndi in a telephone interview with journalists said, "if they found a murderer in my car, they would have arrested me and the murderer." In a later press conference, he denied involvement in the recent riots, said he would sue Minister Marafa for defamation, and offered to meet with President Biya in the presence of a third party.

Comment

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**19. (C)** President Paul Biya told DAS James Swan on March 7 that he plans to release most of those arrested (septel) if they agree not to undertake further violence. Some civil society contacts also believe this is likely but opine that Biya hopes this will boost his popularity. We have heard other worrying allegations of mistreatment of detainees by security forces, including allegations from defense lawyers who have commented that many of their clients bear similar markings indicating some kind of torture. While some of those detained may have committed criminal acts, the scale and expedited nature of the trials point to underlying political motives. Together with media restrictions and published threats by groups of top officials in Yaounde against "outsiders," the arrests aim to sow fear in the population. Some private media and NGO sources believe the total number of deaths was over 100, although we cannot substantiate this figure. Marafa's accusation against Fru Ndi, while shared by some others in government, is questionable (but not impossible) given the SDF's limited organizational abilities. We will continue to monitor the current human rights situation closely.

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